



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 \* Olympia, Washington 98504-0908 \* (360) 753-1111 \* Fax (360) 753-1112

Toll Free 1-877-601-2828 \* E-mail: [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov) \* Website: [www.pdcc.wa.gov](http://www.pdcc.wa.gov)

BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT	)	PDC CASE NO: 04-659
ACTION AGAINST	)	
	)	Notice of Administrative
Patrick Alesse	)	Charges
	)	
Respondent.	)	
	)	

IT IS ALLEGED as follows:

**I.**  
**JURISDICTION**

Jurisdiction of this proceeding is based on Chapter 42.17 RCW, the Public Disclosure Act, Chapter 34.05, Administrative Procedure Act, and Title 390 WAC.

**II.**  
**LAW**

**RCW 42.17.240 Elected and appointed officials, candidates, and appointees—Reports of financial affairs and gifts**, states in part: “(1) Every elected official and every executive state officer shall after January 1<sup>st</sup> and before April 15<sup>th</sup> of each year file with the commission a statement of financial affairs for the preceding calendar year...”

**RCW 42.17.241** details the content required in each report.

**WAC 390-24-010 Forms for Statement of Financial Affairs**, states in part: “The official form for statements of financial affairs as required by RCW 42.17.240 is designated ‘F-1’, revised 9/02...”

**III.**  
**FACTS**

The Respondent, Patrick Alesse, is a Commissioner for the Birch Bay Water & Sewer District. His term of office ends in the year 2007. **(Exhibit 1)** Mr. Alesse held office during 2003 and was required to file a Statement of Financial Affairs (PDC form F-1) by April 15, 2004. On May 7, 2004, Mr. Alesse was sent a letter informing him that the F-1 report due by April 15, 2004 had not been received. The letter stated that he needed to file before May 21, 2004 to avoid the possibility of enforcement. **(Exhibit 2)** The F-1 report has not been filed. **(Exhibit 3)**

**Past History** – In 1997 and 1998 Mr. Alesse filed F-1 reports and no enforcement action was taken. In 1999, in Case #00-021, Mr. Alesse was a Birch Bay Water & Sewer District Commissioner and was required to file an annual Statement of Financial Affairs (PDC form F-1) by April 15, 1999. The F-1 was not timely filed. An order was entered following a brief enforcement hearing held November 3, 1999 finding Mr. Nelson in violation of RCW 42.17.240 and assessing a civil penalty of \$150 with \$75 suspended if paid within 30 days. The penalty was timely paid.

In 2000, Mr. Alesse filed his F-1 on August 10, 2000 and no enforcement action was taken.

In 2001, in Case #01-238, Mr. Alesse was a Birch Bay Water & Sewer District Commissioner and was required to file an annual Statement of Financial Affairs (PDC form F-1) by April 16, 2001. The F-1 was not timely filed, and to avoid a brief enforcement hearing, Mr. Alesse signed a Statement of Understanding, stipulating to a violation of RCW 42.17.240, and paid a \$50 penalty for the late filed report.

In 2002, in Case #01-238, Mr. Alesse was a Birch Bay Water & Sewer District Commissioner and was required to file an annual Statement of Financial Affairs (PDC form F-1) by April 15, 2002. The F-1 was not timely filed, and to avoid a brief enforcement hearing, Mr. Alesse signed

Patrick Alesse  
Notice of Administrative Charges – Case No. 04-659  
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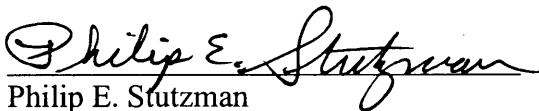
a Statement of Understanding, stipulating to a violation of RCW 42.17.240, and paid a \$50 penalty for the late filed report.

In 2003, Mr. Alesse timely filed his F-1 on April 15, 2003.

#### **IV.** **CONCLUSION**

Staff alleges, based on the facts specified in Section III, that Patrick Alesse has violated RCW 42.17.240 by failing to timely file the Statement of Financial Affairs (PDC form F-1) by April 15, 2004.

RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of June, 2004.

  
Philip E. Stutzman  
Director of Compliance

#### **Exhibits**

Exhibit 1	Jurisdiction Card
Exhibit 2	May 7, 2004 Warning Letter
Exhibit 3	Affidavit signed by Jennifer Hansen

BIRCH BAY WATER & SEWER DIST	7096 PT WHITEHORN RD	BLAINE	WHATCOM	98230-9675	office@bbwsd.com	GLENN GOLAY	360 371-7100	glenn@bbwsd.com
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Officials

Last Name	First Name	Initial	Office	Position	Address	City	Zip Code	Email Address	Year Term End
ALESSE	PATRICK	H	WATER & SEWER COMMISSIONER		4825 ALDERSON RD	BIRCH BAY	98230-9670		2007
MONTFORT	DONALD	W	WATER & SEWER COMMISSIONER	6	8323 HARBORVIEW RD	BIRCH BAY	98230		2005
REICHARDT	CARL	F	WATER & SEWER COMMISSIONER		PO BOX 978	LYNDEN	98264		2009

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May 7, 2004

PATRICK ALESSE  
4825 ALDERSON RD  
BIRCH BAY WA 98230-9670

SUBJECT: Missing Personal Financial Affairs Statement (PDC Form F-1)

Our records indicate that pursuant to RCW 42.17 (the public disclosure law) you were required to file a Personal Financial Affairs Statement by April 15, 2004. We have not yet received your F-1 or F-1A report.

F-1 and F-1 Supplement forms are enclosed for your use. Templates of the F-1, F-1A, and F-1 Supplement forms are available on the PDC Web site: visit [www.pdc.wa.gov](http://www.pdc.wa.gov), click on "Filer Assistance" and then on "Form Templates." The F-1 instruction manual is available online under "Filer Assistance," "Manuals," and "Personal Financial Affairs Statement Instructions," and can also be obtained from the PDC.

In addition, electronic filing of the F-1 statement is now available. Please visit [www.pdc.wa.gov](http://www.pdc.wa.gov), click on "Electronic Filing," and then on "Personal Financial Affairs Filer." You will be guided through the process of establishing a user account, filing a signature authorization card via U.S. mail, and submitting your F-1 report online.

**Please complete the F-1 form and submit it to the PDC by May 21, 2004 to avoid the possibility of enforcement before the Commission that could result in the assessment of civil penalties.\***

If you have already filed the F-1 form in 2004, please contact our office immediately. If you need assistance, please contact **Jennifer Hansen** at (360) 586-4560, toll-free at 1-877-601-2828 or by email at [jhansen@pdc.wa.gov](mailto:jhansen@pdc.wa.gov). Thank you for your cooperation.

Sincerely,

Philip E. Stutzman  
Director of Compliance

Enclosures: F-1 Form and F-1 Supplement Page

\* Please note that faxed reports are not acceptable because they only show a copy of your signature, and an original signature is required to certify your report.

**EXHIBIT # 2**

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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON )  
 ) ss. AFFIDAVIT OF  
County of Thurston ) JENNIFER I. HANSEN

I, Jennifer I. Hansen, being first duly sworn on oath depose and say:

I am a Political Finance Specialist for the Public Disclosure Commission and have been since March 22, 2004.

On June 9, 2004, I personally searched the electronic image files maintained in the offices of the Public Disclosure Commission for the Personal Financial Affairs Statement (PDC Form F-1) of Patrick Alesse and found that, prior to June 9, 2004, no F-1 report, due by April 15, 2004, was filed with the Public Disclosure Commission by Mr. Alesse, as required by RCW 42.17.

In the above-described search of the files of the Public Disclosure Commission, I found no requests by Patrick Alesse for a reporting modification or suspension, as authorized by RCW 42.17.370(9) and WAC 390-28 and, to the best of my knowledge, no requests for reporting modifications or suspensions by Patrick Alesse have been received by the Public Disclosure Commission as of this date.

Jenny Chan

SUBSCRIBED AND SWORN to before me this 9<sup>th</sup> day of June, 2004.

*Philip E. Stutzman*  
NOTARY PUBLIC in and for the state of  
Washington.  
My commission expires 6-20-07

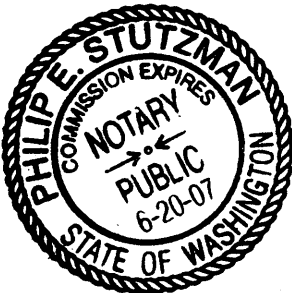


EXHIBIT # 3  
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